

**BOARD OF SELECTMEN**  
**APPROVED MINUTE DISTRIBUTION**  
**LIST**

**FYI**

*IT - Laura*

**TOWN CLERK**

**MEMORIAL LIBRARY**

**BOARD OF HEALTH**

**HISTORIC DISTRICT**

**SUPT. OF SCHOOLS**

**VCC**

**PLANNING BOARD**

**WEST ACTON LIBRARY**

(selectmenLDrive) Minute Cover Sheet

**Joint Board of Selectmen/Finance Committee Budget Hearing**  
**Saturday February 7, 2009**  
**Room 204 Faulkner Room**

**Minutes**

Present: Chairman Rosenzweig, Selectmen Magee, Knibbe, Berry and Friedrichs, Town Manager Steve Ledoux, Assistant Town Manager John Murray, Finance Committee Chair Steve Noone, and Finance Committee Members Pat Clifford, Bill Mullin, Kent Sharp, Herman Kabakoff, Mary Ann Ashton, Doug Tindal, Bob Evan, Pat Easterly and Brady Brandon

Chairman Rosenzweig opened the meeting at 8:00 AM

**Minuteman:** Superintendent Dr. Ed Bouquillon – Chuck Olmstead is Acton's representative, he was unable to attend. Dr. Bouquillon would like to highlight his budget for FY10; it is up 2.9% at \$17.5M. Many of the costs are unsustainable (\$20.9K. per student for Acton), although money well spent - 99% of students pass MCAS. One particular cost center is the salaries at \$10.5M; they will need to be reduced to \$10.4M in FY 09 and then to \$9.9M in FY10. The school is increasing programs without increasing cost. Several new programs will be offered; one in business and legal administration is expected to bring significant advantage. Building improvements of \$8.5M using ESCO funds are being initiated. They will come at no cost to the towns; the dollars are coming from energy savings. Acton's projected FY 10 assessment is \$575K, due to a drop of 10% in Acton's enrollment. Minuteman's request to the towns for this coming year is to establish a stabilization fund. He is not asking for funds, just the ability to establish the account. Chairman Rosenzweig asked where the funds will come from and Dr. Bouquillon stated out of surplus, private donations and some from the ESCO funds. Herman Kabakoff asked about the balance; it is \$750,000 with a draw down of 45%. Dr. Bouquillon stated enrollment had declined over the past 4 years. This year there was a slight increase in comparison to other member towns. Retention after 9<sup>th</sup> grade had become an issue. That has been addressed and staff has implemented new programs and counselors. Steve Noone - might you hold off on some of the project due to banks ability to lend \$\$ at a sensible rate. Siemens recommends this and they have done extensive building analysis and the awareness is sophisticated. The solution is what we discuss now, and yes we have planned to wait for a sensible rate. John Murray asked if they have submitted for stimulus money. Yes, they expect some stimulus money. Hopefully they will go through MSBA.

**Steve Ledoux** thanked our guest and began the Agenda. The town's budget process started early. In August in our first meetings we had free cash and voted in September on initiatives with a 6.29% increase. In October we presented a level service budget. Cuts in municipal and local aid were announced in January and with cuts already made we were OK. But FY10 is a problem; in essence we had \$497K cut from the Municipal Budget. But with the increase in meals and room taxes our net affect is approximately \$343K. Acton Leadership Group sees \$816K deficit assuming use of \$2.3M in reserves; the schools are responsible for 70% and municipal 30%. That will leave us with a need on the municipal side to cut \$245K for a total budget figure of \$27,302M. for a 3.34 % increase over FY 09. The Town Manager also indicated to the Board a major policy change for Town Meeting: all collective bargaining agreements will need to go to Town Meeting for appropriation. Approval of funding the 1<sup>st</sup> year and then the Town is obligated to fund the following years. Only monetary issues in the contract will go to Town Meeting. As for the \$100K that had been appropriated for the Senior Center design, \$64K will be removed and the rest will be carried for necessary improvements. We were fortunate with our fuel bids as we had locked in \$1.58 a gallon, which is a savings of \$70k. \$35K is still in our budget for re-engineering. We have cut all cost of living increases from the budget for a savings of \$140K but need to add \$113K for Health Insurance. That leaves \$84K on the table necessary for emergencies and possible further cuts from the state. It maintains service and does not lay anyone off.

**Memorial Library-** Marcia Rich has asked for increases in staff and materials. The Library is open 68 hours a week with 15 FTE. She sees circulation increasing with economic hard times. Staff increases are necessary or library trustees have noted they will need to cut back hours to open at 10:00 AM rather than 9:00 AM. She is asking for an increase staff of 1.75 which is \$48K a year. Herman Kabakoff asked why there appeared to be a 10% increase. Marcia replied she had someone on sick leave - she was paying her and then paying someone to fill her hours. Chairman Rosenzweig thanked Marcia for letting the public know that if we cut staff we cut services. We still have Sunday hours. Selectmen Berry asked what the traffic at 9/10 is in the morning. It is people with flexible time, Marcia stated. He asked what is not getting done. She said basic stuff, getting books back on the shelves. Pat Clifford asked if the 35 area towns that are part of the Minuteman libraries could they stagger hours and serve the same people.

**W Acton Library -** Jennifer Friedman, Her budget is in the book; the hours are Tues – Fri 10-5.

**Highway –** Bruce Stamski and Russell Robinson. Bruce reported the new fuel bid was great news in terms of savings, while on the other hand paving is increasing substantially. These types of adjustments are leaving the Engineering budget level funded. They are attempting to do many jobs in house, saving dollars; less work will be sent out if hard times continue. Russell is running all town road jobs including paving, snow, ice and plowing and the Transfer Station. Bob Evans commented roads are so much better in Acton than surrounding communities and as a citizen he really appreciates the highway department's hard work. Bill Mullin very impressed with the value propositions that Engineering has undertaken. They have been a leader in creativity. He is most impressed. Steve Noone asked about capital requests; where and when will we see the savings as in the excavator? What is the estimated annual savings against 185K in equipment? Bruce will come up with some numbers. Andy Magee would not like to use Chapter 90 (paving funds) for equipment. Bruce stated the town will use NESWC funds. Mr. Stamski would like to use the Chapter 90 funds for bridges that we currently have contracts out on for repair. Herman Kabakoff thought that Tire expenditures were high, is it timing or what? Bruce stated we stock up at certain times of the year; we do that with several items that are in continuous use. Bruce stated that \$90K used to be the annual cost for paving now \$200K is in the budget. Selectmen Knibbe asked if the cost is the same for roads and sidewalks. In some cases Bruce agreed this is the case, but cost will rise for next year either way. Bill Mullin asked if we have spent our entire snow and ice budget. Bruce said we will exceed our budget. Steve Ledoux explained those types of emergencies are why some of the frozen funds are set aside. Doug Tindal inquired how the town does maintenance on vehicles. Russell replied we have two mechanics and a maintenance man. Anything not under warranty is maintained in house. We use state bid list for our vehicles. What about road materials? Bruce, yes and for example on some items we use a cooperative with several other towns, some things we maintain stock (buy in bulk) and some things we go out to bid on others. Sidewalk plow will come from set aside money in Town Manager budget. It was an emergency purchase. Bill Mullin stated it showed excellent leadership to open the transfer station during the ice storm, a very good decision with lots of gratuitous comments from citizens.

**Assessors -** Brian McMullen, Recertification (factoring) for Department of Revenue, setting property assessments is in the budget in FY 2010 for \$80K. It is not a complete field inspection, but an analytical study following the FY2007 \$200K certification. Money has been set aside for telecommunication wires as new growth abatements about \$200K. It could be released and declared a surplus once the appeal is settled. Selectmen Berry asked about abatement applications for this year. Putting an explanation in the tax bills helped this year and there are less abatement filings. Herman asked what is the status of the overlay account. Brian McMullen said there is no opportunity to release funds; they might still have a slight deficit. Doug Tindal asked what is the

valuation for the housing market, not for tax purposes. Mr. McMullen stated there was a sense of decline; FY 06-07 showed a 4% decline. Some segments are getting hit hard. Mr. Tindal asked where is the pain? Brian said condominiums, the apartment type housing and some of the town houses. Commercial end is also a bit frightening. Nagog Park has a high vacancy rate. Mr. Tindal asked about the retail? Brian responded they seem to be holding their own. Bill Mullin asked of any new growth trends. Mr. McMullen stated things on the books to be built seem to be on hold. Avalon has been some help. Herman Kabakoff asked about taxes on vacant buildings? Brian noted value and taxes will go down; we have about 4% industrial building in Acton.

**Council on Aging** – Jean Fleming, The Council's budget is similar to 09. The COA outreach position 11.5 hours is funded by the town. Some additional 9 hours are paid for by an Executive Office of Elder Affairs grant. The formula grant is for new programs, funding positions hours or programs; in the case of staffing the town takes over the funding allowing new programming to be generated. The town not funding the 9 hours would severely limit the outreach position. In the first 6 months of this year the Senior Center has serviced as many people as all of last year. Senior van service has increased by 25% between 07 and 08, and another 11% in first 6 months of 09. \$64K of money for design of a new or expanded Council on Aging facility has been cut. We have requested some monies, including \$36K for building modifications necessary to operate in the existing building for several more years. Bill Mullin asked is the source of senior information the census which tell us currently there are 3500 seniors in Acton? Jean stated, yes and we manage the health and safety as well as social aspects of their lives. Andy Magee asked if senior are really leaving Acton because of taxes or are there any other reasons? Jean, really its not just taxes, but sometimes to be near family and sometimes to downsize. People who have lived here a long time generally want to stay and for that reason we need to provide them options in housing. Selectman Magee thought that transportation might not be adequate; Jean agreed we definitely turn people down each day. Selectman Knibbe agreed subsidy definitely still needed. Bill Mullin we need more in terms of service to meet other needs. Ms. Fleming definitely we really care for the health and safety of our people.

**Building-** Frank Ramsbottom spoke to the LEEDS program that the Town could adopt, but not for every builder that is in town could be forced to adopt. Also, the town cannot adopt a program that would interfere with the building codes, such a program would need to come from the state. Bill Mullin stated the peak year for building permits is 2006. Frank said we are on pace this year for about the same as 07, most builders still busy. Frank stated there was not a vacancy in the department, a position had been misclassified. Chairman Rosenzweig stated almost everything the state mandates we can charge a permitting fee.

**Planning** – Roland Bartl gave an over view of the restructuring of the planning and building departments. We have a new assistant planner/zoning enforcer, added in September. Building permit applications: we have reviewed 128 since September and 5 site plans. For the 2010 Census planning is involved in a coordinated effort with the state to break Acton into two tracks as our population has gotten too large be on one tract. Selectman Berry asked if there was any change in the Transportation Improvement Program, Roland has sent a request for clarification. We are using our allowance of ¼ clerical position paid for by CPA; we are allowed up to 5% of revenues and we are meeting the cap. Doug Tindal wanted to compliment the department on the hard work put forth by Kristen as support to EDC, it shows the excellent staffing in that department. Chairman Rosenzweig stated the BOS would like to reduce residential growth and asked what is happening in that area. Roland stated there are 15 permits this year already. In terms of community outreach Roland was certain some of that work can be done in house but it will take longer. The plan will be coming after March 11<sup>th</sup> from the consultant; unfortunately, their last meeting date was snowed out.

**Fire Department** – Bob Craig presented a level service budget. Operating budget is driven by personnel costs for which position control sheets are used. The Revolving Fire Alarm Fund expenses include labor and necessary hardware for the fire alarm systems in town. The only capital item in this department is for a new pumper. 2 pumpers are out of service and there is no backup. Ambulance fund will fund the pumper and 4 EMTs. One pumper is used for training and one is for an emergency, which means if the working one is out for service we are unable to respond. This request will be funded through the ambulance fund. Selectman Berry asked about staff. Chief Craig responded the staff would consist of four groups on a rotating schedule. He explained that equipment and personnel are sent out at the same time when a call comes, the ambulance for transport and the truck for equipment. It also helps to have four emergency personnel to get someone down stairs and out of a building. The Chief stated the minimum staff group would be seven which is considered running light; otherwise they close the station. Storm coverage has impacted the overtime so the department is trying to “run light”. That is two personnel and a shift commander at each location. Selectmen Berry asked if we control vacation and personnel time at those times. No, we do not control vacation time. Bob Evans asked about banners, they are a public service, do groups pay to have them put up. The Chief replied the town is not reimbursed for hanging banners. They are all non-profit associations. Bob Evans stated the tax payer should not pay while firemen get overtime. Bill Mullin questioned why we are not closing a station. Chief Craig reminded them to consider the impact of response time in closing a station. Pat Clifford asked about protocol on maintenance, and the chief replied every week the men do a check and fill out forms. Once a year they have an independent inspection service. Herman has asked for a complete accounting of all revolving funds and enterprise accounts. Bill Mullin asked about the Avalon Bay funds. John Murray replied \$500K was received upfront and the rest will be upon when built. It is in a gift account solely for Public Safety in North Acton Area.

**Municipal Properties** – Dean Charter, Contractual services this year have increased due to tree removal; tree work will increase from 50 days a year to 70 days a year. Space needs study is crucial at this time. All utilities are out to multi year contracts. The town has retrofit all our street lights and we have received \$22K applied to the street light fund. Adjusted billing on those lights will be in soon; we are talking about 800 street lights. Selectman Magee stated that the new Green Committee should be involved with contracts and other decisions with Municipal Properties. He also asked about the underground tanks. There are concerns; 5000 gallon tanks are no longer needed. One of the tanks is no longer in use and the hope is to pump it out. The diesel tank should be replaced. Selectman Magee wanted the tanks to positively be emptied. The town also has converted its seasonal lights to LED lights. The department would like a replacement truck, although it only has 70,000 miles they are hard miles. The bottom has rot and it has caught fire twice. The sprinkler system in the MP budget is for the shop. Steve Noone noted that capital items in budget this year were \$87K includes security systems; items such as surveillance cameras and security cards for entry in municipal buildings.

**Recreation and Conservation** – Tom Tidman and Cathy Fochtman presented for the 1600 acres of conservation land and around 60 acres of recreation land the department manages. Salaries appeared to be up but it was due to one person on long term disability and the cost to fill the slot during that time. Contractual services are related to beaver control. Selectman Magee was pleased that there was a plan to extend wiring to the parking lot at NARA, but shouldn't the wiring be underground. It has not been funded this year. Mr. Tidman will look into that idea.

**Information Technology** - Mark Hald handed out Phase I implementation plans for the new GIS. This summer will begin phase II. The first staff training will take place next week. The Cemetery Maps alone are amazing - what help this system will be. A Finance Committee Member questioned if the town could charge fees for this new format of information. Mr. Hald stated these are public

records and really there is no way to charge fees. But, engineering might be able to charge for the maps printed and there are services that could be provided by staff making studies/packages of the various layers of information obtained from GIS which could have fees associated. As far as the Police Radio System, we have copper lines and they are probably 100 years old; the department would like to get onto centralizing phone systems for all of the town buildings. It would give us a reduction in phone lines. The return on this investment would be 4 or 5 years before the phone system pays off. Selectman Berry asked is the IT budget showing an average for each of the 5 years. Mr. Hald said yes, it includes GIS job description/s, coordination plan, data integrity input and output, provides training and documentation for the public on the website, and included are contractual services. It does include a GIS Coordinator. Peter Berry asked are you talking about land lines for satellite service. We have receivers put in about 1980 that use the phone lines. It is proposed that funding come out of the cable funds and council is looking at that. Additionally, maintenance for the PSF radio equipment upgrades could use the Avalon Gift Fund - the council is looking at that. Andy Magee asked so it will be totally funded somewhere in the general fund. The INet updates must be done for these projects to be completed. The INet was funded in 2000 from the cable fund and it will force us to go to narrow band spectrum. Contractual Services of \$28 K, includes highway weather satellite service, Connect CTY and Financial software for MUNICE. Other capital would include needed equipment for cruisers and maintenance on equipment even computers for any department. Homeland Security Grant - it is a potential source of funding if something is out there.

**Police Department** - Chief Frank Widmayer. Property crime is way up over previous years. Breaks into buildings, houses and vehicles have gone from an average number of around 70 per year to 127 for the first seven months of this year: an 81% increase. This makes residents not happy with their police protection. Understanding this is a regional problem. Apartment complexes where many people live close together multiply the needed protection. First CODIS – Combined DNA Index System (Federal/State/Local fingerprinting indexing) made a hit in Acton for the first time, meaning a professional criminal was operating here. One is only entered into Codex if they have a record. As a rule the department works with no less than 4 officers on a shift, but that is not optimum and does not cover the town. Peter Berry - Patrol shifts have to be filled. Do you control personal days; the Chief replied he does not. The Quinn Bill was cut from the governor's budget; this is really deflating to the officers as it is part of their compensation. In this case the officers take reduced pay. Mr. Murray explained if the decrease for Quill Bill funding is at the state level the town is not required to make up the difference. Doug Tindal, asked if with the new Community Outreach position filled, is there a difference and what has that contribution done. She is just starting; churches coordinating have been helpful to this point. Apartment living, a difference in the cultural make-up and the economic stability of the town all are factors in how to service the town. I need the positions requested filled to cover the town.

**Health** – Doug Halley Director of Health and Merrily Evdokimoff Nursing Administrator both noted increases in salary and insurance charges. Nursing will increase 1.89%. Parity has served very well with a stable staff of nurses for the first time that I can remember. The Community Service Coordinator is being worked out of the Health operating budget. She is working out of the Nursing Services office. Some hours from the Hazardous Material budget will flip over to Food Services budget. In the Sewer Enterprise Fund the change is that Upper Blackstone is no longer having the town collect money for them; the waste hauler folks are paying directly. Our contract with Woodard and Curran to update the elements of the sewer monitoring system is in the 5<sup>th</sup> and final year. Selectman Magee noted it will be a good time to assess it and then see if we rebid or renew with them. One capital item: Supervisory Control and Data Acquisition "Scada" to up-grade the controls for data acquisition and to remotely monitor the system. Selectman Knibbe wondered about

examples of numbers in consistency in nursing services. Merrily answered it is difficult, for example in November Nursing had 300, in December there were 400 visits a month. So the fluctuation with a fixed staff is difficult. We use some contract people to help only on an as need basis. There is also a change in who comes in 26% of patients are HMO, not Medicare patients. In Medicare you are paid a lump sum for care, not per visit as in HMOs. It is like 2 different businesses. Peter Berry, Scada system why is MIA paying for some of the expenses? It was damaged during thunder storm and waiting for a MIA payment, so it is unusual but the expense is split between the Sewer fund and MIA. Pat Clifford, pinpoint funding of the social worker. The first year it was absorbed by the Nursing Enterprise but that is not possible going forward. It will be \$36.00 an hour plus benefits (40%). Thought nursing would need to shut down. Bill Mullin, it seems that there should be room in the Nursing Enterprise budget. Mr. Murray said we are not getting full reimbursement from anywhere, but she is needed. In the clinical sense she is not a social worker. Brandon what services are providing? Medicare calculates after a reference from a hospital and they make a 2 month plan which they pay us for and we need to find the care, for HMO nursing needs to provide an assessment (a plan) and then find how to get the funding for each of the recommended services.

**Finance** - Steve Barrett, The Finance Department acts as a primary support function for the town. This department is processing \$70M in revenue and \$70M in expenses which we do with 16 FTEs. We have no replacement coverage if someone in our department gets redeployed to another area, which is required on a regular basis. Wins for our people consist of the new Munice tax module from which we pulled the 2008 tax bills for the first time this year. Our elections and Town Meeting ran smoothly, we have started to accept loans for a thousand betterment and title V loans and by August of 08 we had a three year budget in place. We received our free cash certification from the state either first or second in the state. Transparency initiatives have been instituted into the department; we now have on-line budgets and quarterly reports for the Finance Committee. The Town Manager and I have spent time implementing a department reorganization plan, realigning the accounting office with Karen Kucala becoming the Town Accountant. This will need to go to the Board, and we will continue to evaluate other changes. We are eliminating two unfilled FTE positions not yet filled. Other efficiencies would include studying to centralize invoice processing and billing. Bill Mullin, have we refinanced anything out there. Steve Barrett, our advisor has noted that at this time for us there are no savings yet. We do continue to evaluate. Steve Noone, have we looked into on-line tax payments. Mr. Barrett, due to concerns regarding customer cost and security it is not a priority in our department. Bill Mullin, Investments managed by John Murray the Town Treasurer. Mr. Murray, we had a remarkably good year investments only went down 5%, fairly good in comparison to the rest of the market.

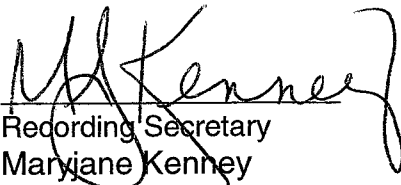
**Manager's Budget** - Increases are shown in our legal budget as use of 11%, which covers Special Council, Town Council and Labor Council. We have a large increase in professional development. We are encouraging attendance at conferences and professional training sessions, all of which this year are being pulled out of the manager's, not individual department, budgets. We also have added \$50K for an energy consultant. Bill Mullin asked as far as legal services what it would gain to bring a full time person for counsel in house and partial out the rest to specific lawyers. Mr. Ledoux stated that such a wide range of expertise would be hard to find just one person and when you paid to contract out the rest he did not think we would realize any savings. A person could not specialize in Professional Services, property appraisal, environmental opinions, etc.; the range is just too great. Pat Clifford stated she was impressed with Anderson & Krieger coverage. Doug Tindal, does it include Alexan negotiations? Yes, Mr. Ledoux stated that also and as the Town Manager I am the gate keeper. Peter Berry agreed that the service was excellent, top notch and you actually save money by using someone with experience that doesn't waste time figuring out how to get things done. Herman Kabakoff, what is the make up of the Celebrations \$50K? That would be Memorial Day, Patriot's Day and the 4<sup>th</sup> of July. We still have a small amount in for the

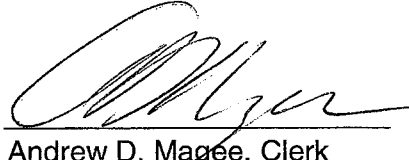
275<sup>th</sup>. The cost for Flags, flowers, and transportation are also carried in that total. The main event for the 275<sup>th</sup> Celebration will be in July if the Board is in agreement. The official day of the Anniversary is July 3<sup>rd</sup>. Bill Mullin asked for a run down on labor negotiations. There are 5-units that are in negotiations. One, the dispatchers have settled, the two police unions and the superiors union have filed with joint labor management committee for mediation. The Fire union is in on-going bargaining but it appears they may go the mediation route as well. Within the Highway union the Municipal Properties employees have filed petition with labor relations to break away from the highway union. So in essence we don't know who we are bargaining with until that is resolved.

**Human Resources**, Marianne Fleckner joined the staff in July 08. She acknowledges the importance of having a budget and setting goals to stay within your budget. The goals she has set for the department are to produce official job descriptions both for efficiency and to do away with duplication in efforts and to update the personnel plan. Many policies have been changed at the state level and the last personnel policy in Acton was written in 1986 with a minor update in 1994. She would also like the department to regain the Human Resource functions that have gone out to the departments to be handled and as a result policies are not consistent. It is important to increase the use of Munice for more timely data and Human Resource reports. Veteran Services inquiries have quadrupled. Dore' Hunter is our Officer and we have 3-5 walk-ins a day. The increase is either the result of economic times or just the awareness that we now have an officer. Acton Veteran Services are reimbursable from the state at 75%. Pat Clifford stated we are very glad you are on staff. Doug Tindal, veterans who are they? Ms. Fleckner stated that it varies; the ages are 20-80, the increase is across the spectrum. The senior work program has remained steady. Herman Kabakoff asked about the overall increase to payroll. The Human Resource Director confirmed to have an overall increase of 13%. Office needs to be upgraded operationally. We need statistics on turn over in the town, such as planned retirement numbers. There is no minimum age for retirement at this time. Steve Noone said it would be good to have a head count for town hall.

Questions from the public:

Charlie Kadlec – He would like to see a budget summary reduced to one page.

  
Recording Secretary  
Maryjane Kenney

  
Andrew D. Magee, Clerk

23 March 2009  
Date



# **BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING**

**February 23, 2009**

**Acton Town Hall, Francis Faulkner Hearing Room**

**6:00 P.M.**

Present: Lauren Rosenzweig, Paulina Knibbe, Andrew Magee, Peter Berry, Terra Friedrichs, Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised.

## **CITIZENS' CONCERNS**

Senator Eldridge – spoke about the status of Commonwealth and concerns he may address for the Board. He spoke about the status of the Stimulus Package. He reported on the committees he has been appointed to and his new activities as Senator.

Representative Jen Benson said that she has been assigned her committees and is excited to begin her duties. She spoke to the Lt. Governor and Governors staff today. She will advocate for her communities and asked that our list of stimulus be honed down to have her present to the Governor.

Andy spoke about the large list of projects that have high priority but are not shovel ready. Andy spoke about the shovel ready 25% design for Bruce Freeman and Rail Trail. We also have roadway issues and safety, the North Acton Fire Station has plans and it could come together rather quickly.

Lauren agreed with Andy's priorities and also noted the housing need for the non-profit that has been trying to develop the Towne School.

Terra asked about the amount that we would receive. Cory Atkins said they don't think they know at this time. Cory noted that more money goes to poorly managed communities and felt it was not fair. They will be advocating for their communities.

Peter Berry asked about telecommunication loop hole and asked if it was additional money they collected. He spoke about the partnership with health insurance costs and does not give us enough flexibility. He noted it would be hard to get unions to change carriers with out going to the bargaining table.

Peter also noted CPA projects and noted it needs a language to allow recreation.

Paulina noted that the way they have gotten taskforces and asked if they knew of any of our projects that have been sorted out. Paulina is disappointed with the Flexible Funding mechanism. Paulina asked about job creation.

Andy Monroe of the Sewer Action Committee. Wants the project to go on the proposed and added to the Stimulus Package projects for consideration. He turned in a petition regarding the need for sewers.

Greg Bishop spoke about the benefits of sewer, he supports sewerage West Acton.

Mary Michelman wanted the Rail Trails on the list for funding.

## **CHAIRPERSON'S REPORT**

South Acton Village and noted the about concerns about zoning. Planning Board has tabled this article.

## **OPERATIONAL MINUTE**

Steve announced we have closed on 8 Piper Lane and will looking foward the project moving forward.

Steve got a letter from Joe Cosgrove of MBTA noting there is funding for the project development of the Parking Deck at the South Acton Station.

## **SELECTMEN'S REPORTS**

Peter updated the Board on his work with our Insurance coverage.

Andy spoke about the Green Team coming in to hear what the Board wants as they are advisory to the Board.

## **PUBLIC HEARINGS & APPOINTMENTS**

### **COMMISSION ON DISABILITY**

Elizabeth Franklin spoke about quorums and their inability to do their job. Steve aid we could change the Charter but it would be a two year process. He and Steve Anderson spoke about a quicker way to bring about these changes by way of writing a General Bylaw.

Lauren spoke about transportation and medical conditions that change people and their conditions. She felt it is a good way to proceed and to get word out there to get new members. She is in favor of this and would like it on the Warrant.

Andy felt that it runs the risk of a minority group comes in to power. He would like to say shall consist of 7 members and they need 4 people for a quorum.

Terra said she thinks it is ready and we need to start the two year process to get them up and ready. LAUREN ROSENZWEIG – Moved to put article on warrant with caveat that we continue to explore the change in the Charter. ANDREW MAGEE – second. UNANIMOUS VOTE.

### **SIDEWALK EASEMENT ARTICLE**

Bruce outlined the easements and the process and location of the easement

Terra suggested that they be split out. Bruce noted that they are separate  
LAUREN ROSENZWEIG – Moved to bring to Town Meeting. PETER BERRY – second. 4-1  
Terra Friedrichs No – as she does not feel we have a consensus Motion Passes

## **TRANSPORTATION ADVISORY COMMITTEE WARRANT ARTICLE DISCUSSION**

Franny Osman was present to discuss the Suburban Mobility program and the funds needed from the town. She discussed the alternatives. The program says we need \$24,500 match money. It is noted that they would like it to come out of parking revenues. She noted that we may not have to cover this match money if we receive Cherry Sheet monies. Andy wanted the commitment clear. Terra said in her opinion that we should help the transit dependent. She wished that Franny could single out critical needs.

Peter noted that we all are benefited by getting cleaner air and roadways. He suggested we hold it until later in the evening. Lauren said that if we can't put it in the budget she wanted the Town to have a vote on whether they feel they can support it.

## **PLANNING BOARD WARRANT ARTICLE DISCUSSION**

Greg Neimsky, Spoke about the Article regarding Truck Rental as Accessory Use in Light Industrial. They have proposed several articles.

Terra could not support cleaning use and does not think it is ready.

Andy asked why it came up? He felt it is covered already in the zoning bylaw and it was noted that this is a service that is not technically in the Village District.

LAUREN ROSENZWEIG – Moved to put on the Warrant. ANDREW MAGEE – Second.  
UNANIMOUS VOTE

PAULINA KNIBBE, Moved to approve the other two articles as proposed. ANDREW MAGEE – second. UNANIMOUS VOTE

## **BEER AND WINE LIQUOR LICENSE, ACTON BOWLADROME, 257 MAIN STREET**

Andy said be diligent in your duties with regard to the serving of Beer and Wine

Lauren asked how they will control underage drinking, they have rules and regulations in place and when the manager is off site, Mr. Sundberg will be responsible.

Terra said thanks and suggested outdoor seating

ANDREW MAGEE – Moves the issuance of the license with hours from noon in the café' to midnight and 6:00pm to midnight at the Lanes. TERRA FRIEDRICHS – second UNANIMOUS VOTE

Gena Manalan – supports but would like the BOS to commit they will pull the license for the safety of the kids if violations occur.

## **COMMUNITY PRESERVATION COMMITTEE WARRANT ARTICLE DISCUSSION**

Ken Sghia-Hugh and Jon Benson discussed the CPC projects they are supporting.

They will include set aside for Open Space and CPC needs. They spoke about the Civil War display and will recommend funding through a separate article

The third is a housekeeping change to Charter to name positions.

ANDREW MAGEE – Moved to include on the warrant. LAUREN ROSENZWEIG –second. Terra asked about the pre-development funds for Acton Housing Authority. 4-1 Terra Abstaining Motion Passed

### **SITE PLAN SPECIAL PERMIT 06/05/07-411 KENNETH SUNDBERG, 253 MAIN STREET**

Ken Sundberg spoke about the questions about the retaining wall at the end of the lot. He presented the Dumpster Wall drawings for review. He discussed the landscaping, and noted you won't see the back of the lot when the landscaping is done. Andy asked about the entrance by the neighbors, Ken said it offers traffic calming and he feels it looks sufficient.

Lauren noted the set aside to make one entrance and is it still part of the plan.

Lauren asked about the lighting and he agrees with the proposal. Lauren asked about the wall, it will be a poured concrete and made to look like stone.

Peter asked about the tightness of traffic circulation. It will be painted on pavement and a sign to direct to extra parking.

Terra asked that it be noted that DRB did not approve this plan.

LAUREN ROSENZWEIG – Moved to close the Public Hearing and take under advisement. ANDREW MAGEE – second. UNANIMOUS VOTE. Town Planner was asked to prepare with conditions addressed, and ask the Town Planner to draft the decision to include BOS comments.

### **LAND CLEARING ARTICLE**

4-1 to remove from the warrant, Terra No. Motion passes

### **BRUCE FREEMAN CONNECTION PLAN**

Easements and the two articles were discussed by Roland. He discussed the Bay Circuit Trail to connect to BFRT. They have negotiated an easement for use from Robbins Brook Residences. No detail at this point. Andy spoke about the Powers Gallery easement to connect to BFRT to Great Road which would allow people to go to the shops.

ANDREW MAGEE – Moved to approve as it is ready. TERRA FREIDRICHHS – second. UNANIMOUS VOTE

### **WETHERBEE STREET / SCHOOL STREET MITIGATION**

Steve gave the Board background on this issue. It was related to the lease of the School Street field. TERRA FRIEDERICHs – Moved to Approve. ANDREW MAGEE – second. UNANIMOUS VOTE

## **ACTON VOTERS GROUP**

Charlie Kadlec gave a presentation of the Articles they are sponsoring. Nothing has changed and it has been on the Web for months. First article is to move some money to Stabilization Fund that is depleted currently. The second is to transfer funds to reduce the tax rate and third, the Finance Committee Budget Article.

Peter asked about the Stabilization Fund and when it got changed. Peter noted that every Board needs staff but the Fin com turns the money back each year.

## **HISTORICAL COMMISSION**

They had their public hearing on February 11<sup>th</sup> and discussed Demo of Buildings that are of archeological significance Article. TERRA FRIEDRICHs – Moved to approve. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

## **Chapter N**

Peter Grover discussed the Delay timeline. They discussed the proposed changes that have been redlined. They will bring it to a later town meeting.

Lauren suggested that they meet with stakeholders on archeological article.

Terra asked about how they will determine that the restoration is faithfully restored.

## **PRELIMINARY DISCUSSION, 30 SUDBURY ROAD, SPECIAL USE PERMIT**

Chip Orcutt outlined his need for Commercial Special Use permit. They will be before the Board on March 23<sup>rd</sup>.

## **SELECTMEN'S BUSINESS**

### **WARRANT DISCUSSION**

Budget Transfer AM/LR – Terra NO

Acton Public Schools budget   Defer

Acton/Boxborough Regional School District Assessment   Defer

Minuteman Regional School District Assessment   Defer

Community Preservation Program direct Appropriations from Fund Balance TF/AM   Recommended

Community Preservation Program – Pay Bill of Prior Fiscal Year (Civil War Exhibit) AM/LR Recommended

Council on Aging Van Enterprise Budget LR/AM Recommend

Nursing Enterprise Budget TF/PB Recommended

Septage Disposal Enterprise budget TF/PB RECOMMEND (asked for Income Sheets)

Sewer Enterprise Budget LR/AM RECOMMEND

Recycling and Transfer Station Enterprise Budget TF/PB RECOMMEND

Self Funding Programs (Revolving Funds) TF/PB RECOMMEND

Town Board support – AB Cultural Council LR/PB RECOMMEND

Capital Improvements – School Roof(s) Bonding DEFER

Establish Ambulance Enterprise Fund (Transfer of Revolving Fund) TF/PB RECOMMEND

Contract Settlements – Skip

W. R. Grace Settlement Appropriation Skip

Capital Improvements, Town AM/LR – RECOMMENDED Terra NO

Petition by AVG – AM/TF Move to DEFER Articles PA-PF

Hear and Accept Reports

Highway Reimbursement Program (Chapter 90) LR/TF RECOMMEND

Insurance Proceeds PB/LR – RECOMMEND

Gifts or Grants TF/LR Recommend

Federal and State Reimbursement Aid TF/LR RECOMMEND

Performance Bonds TF/PB RECOMMEND

Sale of Foreclosed Properties PB/LR RECOMMEND (Terra NO)

Elderly Tax Relief – Reauthorize Chapter 73 of the Acts of 1986 TF/LR RECOMMEND

Amend town Bylaws –Establish Agricultural Commission – OUT

Amend Town Bylaws – Historic Building Demolition by Neglect OUT

Amend Town Bylaws – Historic Building Demolition Delay. LR/TF DEFER

Amend Town Bylaws – Archeological Resources OUT

Amend Town Bylaws – Ban Dogs for Cemetery OUT

Amend Town Bylaws – Community Preservation Committee DEFER

Amend Town Bylaws Land Clearly OUT

Commission on Disability – Quorum Requirements TF/LR – Recommend ANDY NO

Home Rule Petition, Wetherbee Conservation Land Agricultural Preservation Restrictions DEFER

Transportation Advisory Committee (Suburban Mobility) AM/LR RECOMMEND Terra NO

Senior Center Expansion Committee OUT

Tax Agreement 1 – Per Steve Anderson (Foreclosure Court) DEFER

Tax Agreement 2 – Per Steve Anderson (Foreclosure Court) DEFER

Accept Sidewalk Easement Prospect Street LR/AM RECOMMEND

Accept Sidewalk Easement, High Street near Audubon Hill TF/AM RECOMMEND

Accept Sidewalk Easement, High Street near Dunham Lane TF/AM RECOMMEND

Accept Sidewalk, Main Street (Water District) LR/AM RECOMMEND TERRA NO

Accept Street Location, & Layout LR/AM RECOMMEND TERRA NO

Accept Trail Easement, Bruce Freeman Rail Trail LR/AM RECOMMEND

Accept Trail Easement, Bay Circuit Trail TF/AM RECOMMEND

Amend Zoning Bylaw, Truck Rental as Accessory Use in the Light Industrial LR/AM RECOMMEND

Amend Zoning Bylaw, Housekeeping – LR/AM RECOMMEND with Dimensional Change.

## **BUDGET DISCUSSION**

Paulina outlined the budget and potential cuts. She spoke about the COA and \$2,000 for ABCC that we have traditionally fund. \$488,000 to use for capital

Paulina suggested two cuts, 250 Celebration and Building security upgrades as she felt they can be done later.

She put back COA and Library hours back in the budget.

Terra wants to find \$800,000 in the operating budget. Proposed to increase health from 85 to 75%. Offer to town employees go to a 32 hour week with salary reduction.

Andy noted the new version of Paulina's figures. He said the space needs study and thinks it is a great suggestion to do as volunteer. He feels we should not cut this out. Andy also noted that we turn to the staff and say the staff can carry the load, and also increase insurance costs. Do we really need the Library open for extended hours. We need to start thinking about where we cut. The pumper truck is right because we have struggled with the fire station and safety for at least 3 ½ years. It does not make sense to spend money and wait until next year.

Lauren noted that she had listened to Fin Com meeting and she finds the COA and Library makes since in this climate. Lauren said that having the shuttle addressed our green issue and addresses the needs of disabled and people that don't have cars or cannot drive. She is in favor. The pumper truck she feels we need it. She said it might be the last time to pay out of Ambulance fund before we move employees into the Revolving Funds. She feels that we need to do it this year.

Peter asked about Reserve Policy. He asked if we built in this year's budget for replenishment of Free Cash. Steve noted we are in deficit in Snow and Ice. He is inclined to leave that in Steve's hands for the pumper and moving of the employees into the revolving fund. Peter asked about increased library hours and COA hours, it is adding staff so they can manage the work load. Paulina said we need to fund some matching funds and let's take it from our budget and investigate getting it from another source. If we get it we give the funds back to the General Fund.

Terra asked about Free Cash, and that she wants to help employees work better.

Terra asked about volunteers at Library to staff the front. She wants to offer a 32 hour work week to employees, we could then figure out what to do with the money and continue to explore volunteer use at the Library No second. Motion Failed

Terra felt we needed to buy the pumper instead of any other capital.

LAUREN ROSENZWEIG – Moved to proceed with bringing to town meeting to purchase pumper out of the ambulance fund. TERRA FRIEDRICHS – second. 4-1 Paulina No. Motion passes

Paulina would rather hold off on purchasing the pumper truck until we get time under our belt.

Peter asked about the vehicles, Paulina said she will have Steve handle this.

Peter spoke about Steve's budget and the \$350,000 debt for the schools. It is worked into Paulina's numbers already.

LAUREN ROSENZWEIG – Moved we adjust our budget according to the plan before us with the exception of the Pumper Truck. ANDREW MAGEE- second. UNANIMOUS VOTE

Charlie Kadlec asked for a dollar amount for the town side.

PETER BERRY - Moved to approve Budget for FY10, town expenses of \$26, 978,000  
ANDREW MAGEE – second. 4-1 Terra NO Motion passes



## **DISCUSSION OF ECONOMIC STIMULUS PRIORITIES**

### Lauren S. Rosenzweig's priorities:

Bruce Freeman Rail Trail  
Assabet River Rail Trail  
Sewers, West Acton/Spencer/Flint Road  
Senior Center  
Towne School

### Paulina Knibbe's Priorities:

Sewers, West Acton/Spencer/Flint Road  
Senior Center  
Bruce Freeman Rail Trail  
Assabet River Rail Trail  
Any Transportation projects that are ready

### Andrew Magee's Priorities

Bruce Freeman Rail Trail  
Assabet River Rail Trail  
Fire Station that is designed  
Sewers, West Acton/Spencer/Flint Road

### Peter Berry's Priorities:

Bruce Freeman Rail Trail  
Assabet River Rail Trail  
Sewers, West Acton/Spencer/Flint Road  
Senior Center  
Towne School

### Terra Friedrichs Priorities:

Senior Center  
Renovate Fire Stations  
Windsor Ave Building  
Solar on Sewer  
Bridges

## **OTHER BUSINESS**

Terra asked that our spending philosophy be discussed after Town Meeting.

Terra wants to discuss Sewer capacity budget discussed to include fiscal obligations and planning issues.

Terra wants longer discussions of our philosophy of spending down reserves.

## CONSENT

Hold 21 Site plan special permit process guide, Terra wanted to know if it could be sent out to committees. .

Hold 23 - Resale ACHC Minuteman Road. Terra wants to make the point about buy down and buy down with a deed restriction.

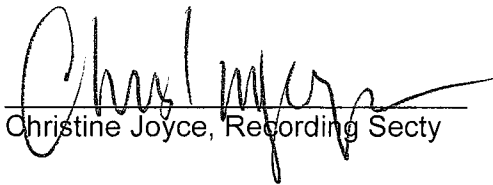
TYPO noted by Terra, Clear not Clerk 26 typo – Maryjane to correct


ANDREW MAGEE - Moved to accept Consent Items with 21 and 23 removed from the Consent status. PETER BERRY – second. UNANIMOUS

ANDREW MAGEE – Moved to accept 21 and 23. LAUREN ROSENZWEIG – second.

## EXECUTIVE SESSION

None Needed

  
Christine Joyce, Recording Secty

  
Andrew D. Magee, Clerk  
Date: 23 March 2009

**BOARD OF SELECTMEN & SEWER COMMISSIONERS'**  
**MEETING AGENDA**

*Francis Faulkner Hearing Room*  
*February 23, 2009*  
*6:00 PM*

**I. CITIZENS' CONCERNS**

State Senator James Eldridge  
State Representative Jennifer Benson

**II. PUBLIC HEARINGS AND APPOINTMENTS**

1.   **6:10   CHAIRMAN'S UPDATE**  
      The Chair will briefly update the Board on Topics of interest
2.   **6:15   OPERATIONAL MINUTE**  
      The Town Manager will provide a brief report on topics of interest
3.   **6:20   SELECTMEN'S REPORTS**  
      Members will update the Board
4.   **6:25   COMMISSION ON DISABILITY**  
      **ISSUE:** Discussion of Place Holder for the 2009 Warrant
5.   **6:35   SIDEWALK EASEMENT ARTICLE**  
      **ISSUE:** Staff will discuss this Warrant Article
6.   **6:45   TRANSPORTATION ADVISORY COMMITTEE, WARRANT**  
      **ARTICLE DISCUSSION**  
      **ISSUE:** Staff will discuss the enclosed Warrant Article
7.   **7:00   PLANNING BOARD WARRANT ARTICLE DISCUSSION**  
      **ISSUE:** Discussion of Place Holders for the 2009 Warrant
8.   **7:20   BEER AND WINE LIQUOR LICENSE AS A COMMON**  
      **VICTUALLER, ACTON BOWLADROME, 257 MAIN STREET**  
      **ISSUE:** Request for approval of a Beer and Wine License
9.   **7:30   COMMUNITY PRESERVATION COMMITTEE WARRANT ARTICLE**  
      **DISCUSSION**  
      **ISSUE:** Discussion of Place Holders for the 2009 Warrant

10. 8:00 **SITE PLAN SPECIAL PERMIT, #06/05/07-411, AMENDMENT, KENNETH SUNDBERG, 253 MAIN STREET**  
**ISSUE:** Request for Site Plan Special Permit Amendment
11. 8:15 **BRUCE FREEMEN CONNECTION PLAN**  
**ISSUE:** Discussion of connection to the Bruce Freeman Rail Trail
12. 8:30 **LAND CLEARING BYLAW**  
**ISSUE:** Discussion of Place Holder for 2009 Warrant
13. 8:40 **WETHERBEE STREET / SCHOOL STREET MITIGATION**  
**ISSUE:** Mitigation discussion
14. 8:50 **ACTON VOTER'S GROUP, (AVG) ARTICLE PRESENTATION**  
**ISSUE:** Discussion of Place Holders for 2009 Warrant, Presentation by Charlie Kadlec
15. 9:05 **HISTORIC COMMISSION UPDATE ON WARRANT ARTICLE**  
**ISSUE:** Discussion of Place Holders for the 2009 Warrant
16. 9:20 **PRELIMINARY DISCUSSION, 30 SUDBURY ROAD, SPECIAL USE PERMIT**  
**ISSUE:** Proposed Use for Commercial Recreation and Training Center for Olympic Sprinters

### **III. SELECTMEN'S BUSINESS**

#### **17. WARRANT DISCUSSION**

#### **18. BUDGET DISCUSSION**

#### **18 A. DISCUSSION OF ECONOMIC STIMULUS PRIORITIES**

#### **19. EAGLE SCOUT COURT OF HONOR, ANDREW REED PETERMAN** Selectmen Representative needed

#### **20. OTHER BUSINESS**

### **IV. CONSENT AGENDA**

#### **21. SITE PLAN SPECIAL PERMIT PROCESS**

Enclosed please find materials in the subject regard, for Board consideration.

#### **22. CROSSROADS RESALE FUNDING REQUEST FROM ACTON COMMUNITY HOUSING AUTHORITY (ACHC)**

Enclosed please find materials in the subject regard

23. **15 MINUTEMAN ROAD, RESALE FUNDING REQUEST FROM THE ACTON COMMUNITY HOUSING AUTHORITY (ACHC)**  
Enclosed please find materials in the subject regard
24. **GEORGIA WHITNEY FUND REQUEST FOR 2009 ROBERT CREELEY AWARD**  
Enclosed please find a request from the Acton Memorial Library Board of Trustees, for Whitney Funds for this year's program, for Board consideration
25. **FEE WAIVER, DANNY'S JUICE MUSIC FESTIVAL**  
Enclosed please find materials in the subject regard
26. **CONFIDENTIAL FEE WAIVER, NARA PARK BEACH FEE**  
Enclosed please find materials in the subject regard
27. **SILVER STAR DAY 2009 PROCLAMATION**  
Enclosed please find materials in the subject regard, for Board consideration.
28. **ACCEPT MINUTES, BOARD OF SELECTMEN, EXECUTIVE SESSION, FEBRUARY 2, 2009**  
Enclosed please find materials in the subject regard, for Board consideration.
29. **PLANNING BOARD REQUEST TO APPOINT RYAN BETTEZ AS SECOND ALTERNATE REPRESENTATIVE TO THE DESIGN REVIEW BOARD (DRB)**
30. **GARDEN CLUB REQUEST TO USE TOWN COMMON**  
Enclosed please find materials in the subject regard
31. **EARTH HOUR RESOLUTION**  
Enclosed please find materials in the subject regard
32. **REQUEST TO USE TOWN HALL PARKING LOT FOR ACTON FAMILY NETWORK TAG SALE**  
The AFN requests the use of the Town Hall Lot for their Annual Tag Sale on May 2, 2009
33. **REVOCATION OF CLASS II NON-DISPLAY CAR DEALER'S LICENSE, JAMES HRYNIEWICH/ D/B/A WHOLESALE AUTO EXCHANGE, 171 NEWTOWN ROAD**  
Enclosed please find materials in the subject regard, for Board consideration
34. **DISPOSAL OF OBSOLETE MATERIALS, ACTON MEMORIAL LIBRARY**  
Enclosed please find materials in the subject regard

**35. ONE DAY LIQUOR LICENSE, NARA, FAMILY BIRTHDAY**

Enclosed please find materials in the subject regard

**36. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift in the amount of \$150.00 from Stop and Shop for Chestnuts used at Winter Fest

**37. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift in the amount of \$50.00 from James V. Tabner, Esq., to be used for the production costs of the Summer Concerts

**V. EXECUTIVE SESSION**

**ADDITIONAL INFORMATION**

Enclosed please find additional correspondence that is strictly informational and requires no Board action

**FUTURE AGENDAS**

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This is not a complete agenda.

March 9 and 23

April 2 Pre Town Meeting

April 6 Start of Town Meeting

**MINUTES PENDING VOTES**

January 26, 2009, February 2, 9, 18, 2009

**PENDING COMMITTEE APPOINTMENTS**

**Carl Campagna**, Commission on Disability, Council on Aging and Cable Advisory Committee; and his application is at VCC for processing. (This is a Town Manager Appointment)

**Elizabeth J. Payne**, Volunteer Coordinating Committee (VCC), her materials have been forwarded to VCC for processing.

**Ilia A. Kurenkov**, (Alex), VCC has interviewed him for several boards he is interested in. He will visit the various boards and committees; he called with interest in the Historical Commission.

**Conor Nagle**, Design Review Board, Conservation Commission, Board of Appeals and Board of Health; his application has been forwarded to the VCC for an interview to be scheduled.

**Margaret Busse**, Economic Development Committee, Planning Board and Board of Appeals; her application has been forwarded to the VCC for an interview to be scheduled.

**Jennifer Patenaude**, Acton Community Housing, Historic District Commission and Outdoor Lighting and Education Committee; her application has been forwarded to the VCC for an interview to be scheduled.